

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

BRISTOL BAY ECONOMIC)
DEVELOPMENT CORPORATION, *et al.*,)

Plaintiffs,)

v.)

CHRIS HLADICK; U.S.)
ENVIRONMENTAL PROTECTION)
AGENCY, *et al.*,)

Defendants.)

Case No. 3:19-cv-00265-SLG

SALMON STATE, *et al.*,)

Plaintiffs,)

v.)

CHRIS HLADICK; U.S.)
ENVIRONMENTAL PROTECTION)
AGENCY, *et al.*,)

Defendants.)

Case No. 3:19-cv-00267-SLG

TROUT UNLIMITED,)

Plaintiff,)

v.)

CHRIS HLADICK; U.S.)
ENVIRONMENTAL PROTECTION)
AGENCY, *et al.*,)

Defendants.)

Case No. 3:19-cv-00268-SLG

OPPOSITION TO MOTION TO LIFT STAY

The State respects and appreciates the decision of the U.S. District Court for Alaska to give priority to criminal and emergency matters over non-emergent civil matters like this one, and for that reason opposes the plaintiffs' motion to lift the stay on this case. Like the Courts, the State Department of Law is currently prioritizing its own workload across a wide variety of areas, and facing the challenges of coordinating large-scale remote operation. If this Court considers this matter worthy of prioritization, of course the State will do so as well. But the State does not consider the matter of administrative convenience described in the plaintiffs' motion as being particularly urgent. The plaintiffs have represented that the Corps of Engineers intends to publish a Final Environmental Impact Statement around mid-June, and a Record of Decision approximately sixty days later or mid-August. The plaintiffs' concern is how a decision in this case may affect the entry of a Record of Decision. The State simply cannot agree that this is a matter to prioritize given the unprecedented challenges facing the Courts in the midst of a global and local health and safety emergency.

The State respectfully supports the Court's decision to prioritize attention to other matters over this one during this time.

DATED: April 8, 2020.

KEVIN G. CLARKSON
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By: /s/ Lael A. Harrison
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